



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants: Zhou (Mike) HONG Docket No.: 372465-00201

Serial No.: 10/669,236 Group Art Unit: 2173

Filed: September 23, 2003 Examiner: Not yet assigned

For: **APPARATUS AND METHOD FOR REDUCING THE MEMORY TRAFFIC OF A GRAPHICS RENDERING SYSTEM**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PETITION UNDER 37 C.F.R. 1.47(b)
SOLE INVENTOR REFUSES TO JOIN**

Dear Sir:

This is a Petition Alleging Refusal To Join under Rule 47(b) in the above-identified patent application.

1. Inventor Zhou (Mike) Hong's last known address is 11512 Country Spring Court, Cupertino, California 95014.
2. A copy of the application papers (specification, including claims, drawings, Declaration and Assignment) was sent on January 28, 2004, by Federal Express, to inventor Hong's last known address for signature. A copy of the Federal Express shipping label is attached as Exhibit A.
3. It appears that inventor Hong received the Federal Express shipment on January 29, 2004. Proof of delivery is attached as Exhibit B.
4. A cover letter was sent to inventor Hong indicating that the inventor should review the application and execute the provided Declarations and Assignments by February 18, 2004 (See attached Exhibit C).
5. The two-month date for responding to the Notice of Missing Parts was February 18, 2004, and was clearly disclosed to inventor Hong in the cover letter.

03/24/2004 BABRAHA1 00000094 502778 10669236

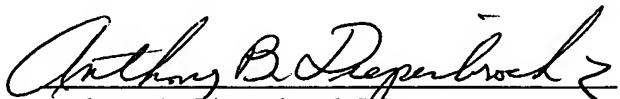
02 FC:1460 130.00 DA
10/669,236

85682.1.17

6. As of the date of submission of this petition, inventor Hong has not responded in any way to the shipment, though such response by telephone, facsimile, or email was and is certainly available to inventor Hong. A prepared Federal Express shipping label and envelope was provided for inventor Hong to return the requested documents (See Exhibit D).
7. A copy of a letter dated March 9, 2004, from S3 Graphics confirms Mr. Hong's employment with this company from April 27, 1995 to April 17, 2003 (See Exhibit E).
8. The client, S3 Graphics, a division of VIA Technologies, has a proprietary interest in and wishes to prosecute this application.
9. Waiting beyond the February 18, 2004, deadline for the inventor to respond has incurred costs to the client and further delays will only increase these costs substantially.

Therefore, based on the facts listed above, Mr. Hong has shown by his conduct, his refusal to join the above-application. It is respectfully requested that the Office deem the application complete and ready for prosecution and it is submitted that such action is necessary to preserve the rights of S3 Graphics/VIA Technologies with respect to this application.

Respectfully submitted,


Anthony B. Diepenbrock
Registration No. 39,960

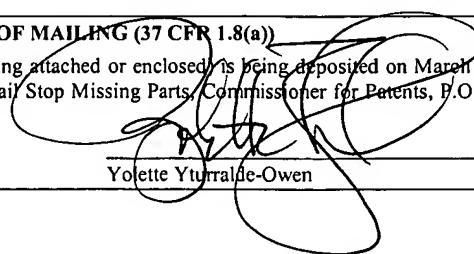
Date: March 17, 2004

DECHERT LLP
Customer No. 37509

CERTIFICATE OF MAILING (37 CFR 1.8(a))

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited on March 17, 2004, with the U.S. Postal Service as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

Date: March 17, 2004


Yvette Yurralde-Owen



From: VOILETTE YTURRALDE-OWEN (650)813-4917
DECHERT LLP
975 PAGE MILL ROAD
PALO ALTO, CA, 94304

REVENUE BARCODE



FedEx.

To: Zhou (Mike) Hong (000)000-0000

SHIP DATE: 28JAN04
WEIGHT: 1 LBS

11512 Country Spring Court

Cupertino, CA, 95014

Ref: 336422/4917

DELIVERY ADDRESS BARCODE(FEDEX-EDR)
TRK # 7900 4104 6904 5201

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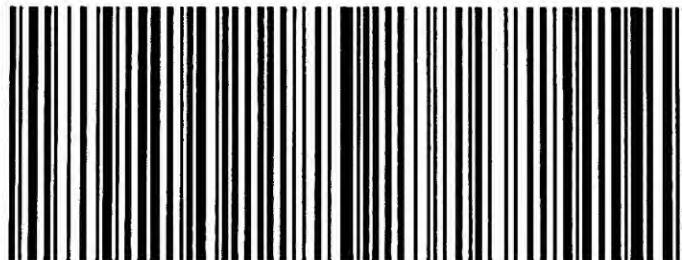
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Signed for by 14626150
Ship date Jan 28, 2004
Delivery date/time Jan 29, 2004 10:41 am

Reference number 336422/4917
Delivery location CUPERTINO CA
Service type Standard Pak

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January 28, 2004

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WASHINGTON

Zhou (Mike) Hong
11512 Country Spring Court
Cupertino, CA 95014

CONFIDENTIAL: ATTORNEY-CLIENT
AND WORK PRODUCT PRIVILEGED

Re: U.S. Patent Application Serial No. 10/669,236

Filed: September 23, 2003

Entitled: APPARATUS AND METHOD FOR REDUCING THE MEMORY
TRAFFIC OF A GRAPHICS RENDERING SYSTEM
Our Ref: 372465-00201 (336422)

Dear Mr. Hong:

The U.S. Patent and Trademark Office has assigned the serial number and filing date indicated above to the subject patent application. However, because we filed the application without a signed Declaration, we have now received the enclosed Notice to File Missing Parts of Application. To complete the filing process, we must now file a Declaration, Power of Attorney & Petition which references the application by serial number and filing date. The deadline for complying with this directive is February 18, 2004.

Enclosed is a copy of the subject application for review before you execute the enclosed three (3) Declaration documents identifying the application by reference of serial number. We are also enclosing three (3) Assignment documents to VIA Technologies, Inc. for your signature, again identifying the application by serial number. Upon execution of these documents, please forward the same back to our office in the enclosed Federal Express envelope addressed to our office for your convenience.

Please note that the enclosed documents are of confidential and proprietary property of VIA Technologies, Inc. and should not be viewed by anyone other than yourself.

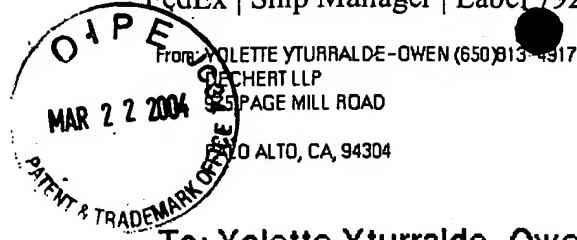
If you have any questions regarding any of the above, please feel free to me at 650.813.4856.

Very truly yours,

Anthony B. Diepenbrock III

ABD/yyo

82994.1.17 1/28/2004



REVENUE BARCODE



FedEx.

To: Yvette Yturralde-Owen (650)813-4800
Dechert LLP (PAL)
975 Page Mill Road

SHIP DATE: 06FEB04
WEIGHT: 1 LBS

Palo Alto, CA, 943041013

Ref: 336422/4917



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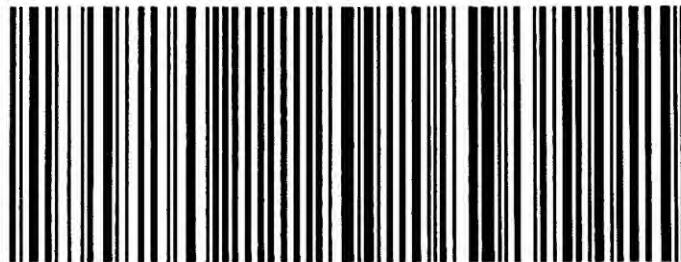
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1045 Mission Court
Fremont, CA 94539
Tel: 510.687.4900
Fax: 510.687.4901
<http://www.s3graphics.com>

March 9, 2004

Re: Employment Verification
Name: HONG, Zhou

To Whom It May Concern:

This is to certify that Mr. Zhou Hong was employed by S3 Graphics, Inc. as a regular full time employee from April 27, 1995 to April 17, 2003. Mr. Hong served as a Director of Architecture of Hardware Engineering Department.

Please do not hesitate to contact me at (510) 687-4617 should you have any questions regarding the matter.

Very truly yours,

Rebecca Yang
Human Resources Manager